

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  IOWA RSA 2 LIMITED PARTNERSHIP	DOCKET NO. 199 IAC 39.2(4)
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**ORDER DESIGNATING ELIGIBLE CARRIER**

(Issued September 17, 2002)

On August 30, 2002, Iowa RSA 2 Limited Partnership (Iowa RSA 2) filed with the Utilities Board (Board) an application for universal service eligible carrier status in Iowa. Iowa RSA 2 asks that the Board designate it as an eligible telecommunications carrier pursuant to 199 IAC 39.2(4). No objections have been filed regarding this application.

Board rule 39.2 provides a means by which the Board can designate Iowa telecommunications companies to be eligible to receive funding from the Universal Service Fund, as defined by the Telecommunications Act of 1996, 47 U.S.C. § 254. Under the Act (and Federal Communications Commission (FCC) regulations implementing the Act), the Board must determine that a carrier meets the following service requirements before it may be designated an eligible carrier, as set forth in subrule 39.2(4):

- 1) Offer the services supported by the federal universal service fund;

- 2) Offer the service using its own facilities or a combination of its own facilities and resale (47 C.F.R. § 54.201(c) provides that "own facilities" include purchased unbundled network elements);
- 3) Advertise the availability of the supported services; and
- 4) Offer the services throughout the service of the designated carrier.

In its request for designation, Iowa RSA 2 states that it satisfies each of these requirements. Based on that representation, the Board finds that Iowa RSA 2 offers the services supported by the federal universal service fund, using its own facilities or a combination of its own facilities and resale of the facilities of another carrier. The Board finds that Iowa RSA 2 advertises and offers the services throughout its designated service area.

The Board also notes that pursuant to a recent federal mandate, Iowa RSA 2 is required to file a certification with the Board regarding its use of universal service funds. This filing will be made pursuant to the Board's recently adopted subrule 199 IAC 22.2(7).

**IT IS THEREFORE ORDERED:**

1. Eligible telecommunications carrier status is granted to Iowa RSA 2 Limited Partnership as requested on August 30, 2002. The designated service area

shall be Iowa RSA 2 Limited Partnership's service territory established in its certificate of public convenience and necessity.

2. The Executive Secretary of the Board shall mail copies of this order to Iowa RSA 2 Limited Partnership, the Universal Service Administration Company, the Federal Communications Commission Universal Service Branch, and the Federal Communications Commission Office of the Secretary.

**UTILITIES BOARD**

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 17<sup>th</sup> day of September, 2002.